

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

APR 1 10 43 AM '05

CLERK
U.S. DISTRICT COURT
DISTRICT OF DELAWARE

UNITED STATES OF AMERICA :

Plaintiff,

: Criminal Action No. 05-13-GMS

v.

RASHEE LAMONT HUNTER,

Defendant.

PETITION FOR WRIT OF HABEAS CORPUS AD PROSEQUENDUM

Your Petitioner, the United States of America, by its attorneys, Colm F. Connolly, United States Attorney for the District of Delaware, and Adam Safwat, Assistant United States Attorney for the District of Delaware, respectfully states:

1. The defendant, Rashee Lamont Hunter, was indicted on federal firearms and narcotics charges on February 22, 2005, and a bench warrant was issued for his arrest by this Court on the same day. The defendant was in the custody of the State of Delaware at the Howard R. Young Correctional Institution. The Defendant was to be transferred by writ into federal custody on March 31, 2005, for his initial appearance, and to remain in federal custody. The State of Delaware nolle prossed its charges against him.

2. Despite the lodging of a federal detainer, and despite the issuance of a writ ad prosequendum from this Court to correctional officers at the Howard R. Young Correctional Institution, state correctional officials transferred the defendant on March

30, 2005, to the custody of Pennsylvania State officials at the George W. Hill Correctional Institute in Thorton, Pennsylvania. To date, the Government has not been provided with an explanation for the transfer.

WHEREFORE, Petitioner prays that the Clerk of this Court be instructed to issue a Writ of Habeas Corpus Ad Prosequendum to the United States Marshal, District of Delaware, and to the Officials of the George W. Hill Correctional Facility, 500 Cheney Road, Thorton, PA 19373, to bring said defendant, Rashee Lamont Hunter, before the Court on April 14, 2005, or at a date shortly thereafter as may be convenient to the Court, for his initial appearance, and to keep said defendant in the custody of the United States Marshal for the District of Delaware until the conclusion of his federal proceedings.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

By: /s/ Adam Safwat
Adam Safwat
Assistant United States Attorney

Dated: March 31, 2005

IT IS SO ORDERED this 1st day of April, 2005.



Honorable Mary Pat Thyng
United States Magistrate Judge
District of Delaware